

**IN THE UNITED STATE DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

ANDREA MARTINEZ,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19-cv-06135-FJG
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**Motion to File Exhibits Attached to Plaintiffs' Supplemental Rule 26(a)(2)(C) Expert  
Disclosures Under Seal**

Plaintiff requests leave to file exhibits A, B, C, and D, supporting the Supplemental Rule 26(a)(2)(C) Expert Disclosures under seal. In support, Plaintiff states:

1. Pursuant to the Amended Scheduling Order, (Doc. 103), Plaintiff's supplemental expert reports are due today, October 27, 2022. And, as directed by the Amended Scheduling Order, "[a]ny expert report or disclosure to be submitted under this section shall be filed with this Court on ECF[.]"
2. Plaintiff previously disclosed treating experts pursuant to Fed. R. Civ. P. 26(a)(2)(A) and (C) to all opposing counsel of record on January 15, 2021. The disclosure and exhibits were provided to counsel via email.
3. All of expert witnesses being disclosed by Plaintiff are treating providers for which a written report under Fed. R. Civ. P. 26(a)(2)(B) is not required. However, Plaintiff is required to prepare a disclosure that indicates "(1) the subject matter on which the witness is expected to present evidence ...; and (2) a summary of the facts and opinion to which the witness is expected to testify." (Doc. 103).

4. The identity of the experts and subject matter on which they are expected to present evidence is included in the disclosure, however, a more detailed summary of facts and opinions to which the treating expert witnesses are expected to testify will be submitted as exhibits to the disclosure document.
5. The exhibits contain medical records, provider notes, and treatment summaries that are sensitive and have been designated as confidential pursuant to the Protective Order in this case. (Doc. 51).

WHEREFORE Plaintiff requests leave to file under seal the four exhibits that will be attached to her Supplemental Rule 26(a)(2)(C) Expert Disclosures, and such additional relief as is appropriate.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The foregoing was electronically filed with the Clerk of Court using the CM/ECF system on October 27, 2022.

Respectfully submitted,

/s/ Gillian R. Wilcox